



RCE  
JW

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 10/040,242  
Filing Date: November 9, 2001  
First Named Inventor: Lu  
Group Art Unit: 1615  
Examiner Name: I. Ghali  
Attorney Docket Number: 680.0043USU  
CUSTOMER NO.: 27,623

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. **Previously submitted**

i. Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on \_\_\_\_\_ (any unentered amendment(s) referred to above will be entered).

ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed filed on \_\_\_\_\_

iii. Other \_\_\_\_\_

b. **XXXXXX** Enclosed

i. **XXXXXX** Amendment/Reply with transmittal

ii. Affidavit(s)/Declaration(s)

iii. Information Disclosure Statement (IDS) and PTO-1449

iv. Other \_\_\_\_\_

2. **Miscellaneous**

a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. Other \_\_\_\_\_

3. **Fees** The RCE fee Under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. **XXXXXX** The Director is hereby authorized to charge any deficiency in fees, or credit any overpayments to Deposit Account No. **01-0467**.

i. **XXXXXX** RCE fee (\$790.00) required under 37 C.F.R. § 1.17(e)

ii. **XXXXXX** Extension of Time fee (3 months) (37 C.F.R. §§ 1.136 and 1.17)

iii. Other \_\_\_\_\_

b. **XXXXXX** Check in the amount of \$ **1,810.00** enclosed

February 13, 2006

Date of Signature

02/16/2006 SFELEKE1 00000009 10040242

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790.00 OP

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 13, 2006.

Ruth J. Olivo

NAME

SIGNATURE

February 13, 2006

DATE